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7 CARRINGTON FORECLOSURE SERVICES, LLC
8 N/K/A VYLLA SOLUTIONS, LLC

8
9 **UNITED STATES DISTRICT COURT**
10
11 **NORTHERN DISTRICT OF CALIFORNIA**

11 WILLIAM BLACKWELL AND
12 LORETTA BLACKWELL,

13 Plaintiff,

14 vs.

15 CARRINGTON MORTGAGE
16 SERVICES, LLC AND CARRINGTON
17 FORECLOSURE SERVICES, LLC,
18 DOES 1-75

19 Defendants.

Case No.:

[Removed from the Superior Court of
California, Monterey County, Case
No. 24CV003236]

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21 **NOTICE OF REMOVAL**

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1 **TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN**
2 **DISTRICT OF CALIFORNIA, AND TO ALL PARTIES AND THEIR**
3 **ATTORNEYS OF RECORD:**

4 **PLEASE TAKE NOTICE THAT** pursuant to 28 U.S.C. §§ 1332, 1441 and
5 1446, Defendants Carrington Mortgage Services, LLC (“CMS”) and Carrington
6 Foreclosure Services, LLC¹ now known as Vylla Solutions, LLC (“Vylla”)
7 (collectively “Defendants”), hereby remove the state court civil action known as
8 *William Blackwell and Loretta Blackwell v. Carrington Mortgage Services, LLC and*
9 *Carrington Foreclosure Services, LLC*, Case No. 24CV003236, from the Superior
10 Court of the State of California, County of Monterey, to the United States District Court
11 for the Northern District of California. Removal is based on 28 U.S.C. §1441 because
12 this Court has jurisdiction pursuant to 28 U.S.C. §1332. Removal is warranted based
13 on the following:

14 **A. Defendants Have Satisfied the Procedural Requirements for Removal**

15 1. On or about August 2, 2024, Plaintiffs William Blackwell and Loretta
16 Blackwell (collectively “Plaintiffs”) filed a Complaint in the Superior Court of the
17 State of California, County of Monterey (the “State Court”). In compliance with 28
18 U.S.C. § 1446(a), a true and correct copy of all process, pleadings, and orders served
19 upon CMS and Vylla is attached hereto as **Exhibit A**.

20 2. Plaintiff served CMS and Vylla on August 16, 2024.

21 3. Therefore, this Notice of Removal is timely in that it was filed within
22 thirty (30) days of the service of the Complaint and less than a year after the
23 commencement of the State Court Action. *See* 28 U.S.C. § 1446(b).

24 4. This Notice is filed in the proper division because the Court embraces the
25 Superior Court of the State of California, County of Monterey, where Plaintiff’s action
26 is pending. *See* 28 U.S.C. §§ 1441 and 1446(a).

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¹ Carrington Foreclosure Services, LLC is now known as Vylla Solutions, LLC, and the name was recently changed in its LLC registrations.

1 5. No previous request has been made for the relief requested herein.
2 Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served on
3 Plaintiff, and a copy is being filed with the State Court Clerk.

4 6. There are no other identified defendants in this matter.

5 7. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being
6 served on Plaintiff, and a copy is being filed with the State Court Clerk.

7 8. On September 9, 2024, Plaintiff filed a Petition for Relief under Chapter
8 13 of the Bankruptcy Code under Case No. 24-51370. Defendant CMS received notice
9 on September 10, 2024.

10 9. Defendants do not consent to entry of final orders or judgment by the
11 Bankruptcy court.

12 **B. Removal Is Proper Because the Court Has Diversity Jurisdiction.**

13 10. Under 28 U.S.C. § 1332, United States District Courts are vested with
14 jurisdiction to consider cases or controversies where there is diversity jurisdiction and
15 the amount in controversy exceeds \$75,000.00.

16 11. Removal of such cases is governed by 28 U.S.C. § 1332(a). Section
17 1332(a) makes clear that “district courts *shall* have original jurisdiction of all civil
18 actions where the matter in controversy exceeds the sum of \$75,000.00, exclusive of
19 interest and costs, and is between – (1) citizens of different States;”

20 12. Here, Plaintiff’s purported cause of action requests \$1,997,876.35, plus
21 additional damages. *See generally* Complaint.

22 13. Plaintiffs are residents of the State of California. *Id.*

23 14. Defendant Carrington Mortgage Services, LLC is a Delaware limited
24 liability company. Carrington Mortgage Services, LLC’s members are Carrington
25 Holding Company, LLC and Carrington Investment Partners, L.P. Carrington Holding
26 Company, LLC is a Delaware limited liability company, whose sole member is The
27 Carrington Companies, LLC. Carrington Investment Partners, L.P. is a Delaware
28 limited partnership, whose general partner is Carrington Capital Management, LLC,

1 and whose limited partners are CIP Intermediate, LLC, a Delaware limited liability
2 company, and Carrington Holding Company, LLC. Carrington Holding Company,
3 LLC is the sole member of CIP Intermediate, LLC. Carrington Capital Management,
4 LLC is a Delaware limited liability company, whose members are Carrington Holding
5 Company, LLC and a natural person. The natural person is not a citizen of the State
6 of California, but is a citizen of the State of Tennessee. The Carrington Companies,
7 LLC is a Delaware limited liability company, whose members are two natural persons
8 who are not citizens of the State of California, but are citizens of the States of
9 Tennessee and Wyoming.

10 15. Carrington Foreclosure Services, LLC, now known as Vylla Solutions,
11 LLC is a Delaware limited liability company whose sole member is Real Estate
12 Logistics, LLC. Real Estate Logistics LLC is a Delaware limited liability company,
13 whose members are Carrington Holding Company, LLC, and a natural person. The
14 natural person is not a citizen of the State of California, but is a citizen of the State
15 of Tennessee. Carrington Holding Company, LLC is a Delaware limited liability
16 company, whose sole member is The Carrington Companies, LLC. The Carrington
17 Companies, LLC is a Delaware limited liability company, whose members are two
18 natural persons who are not citizens of the State of California, but are citizens of the
19 States of Tennessee and Wyoming.

20 16. In accordance with 28 U.S.C. § 1446(d), the undersigned counsel certifies
21 that a copy of this Notice of Removal and all supporting papers will be promptly served
22 on Plaintiff, and filed with the Clerk for the Superior Court of the State of California,
23 County of Monterey.

24 **WHEREFORE**, CMS and Vylla, by counsel, respectfully request that the
25 above-referenced action, originally filed in the Superior Court of the State of California
26 for the County of Monterey, be removed to this Court pursuant to 28 U.S.C. §§ 1332,
27 1441 and 1446.

1 Dated: September 16, 2024

HOLLAND & KNIGHT LLP

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3 By: /s/Ana Dragojevic
Ana Dragojevic

4 Attorneys for Defendants
5 Carrington Mortgage Services, LLC and
Carrington Foreclosure Services, LLC n/k/a
6 Vylla Solutions, LLC

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